

Lower Bucks County Joint Municipal Authority

RESOLUTION STATING THE POLICY OF
LOWER BUCKS COUNTY
JOINT MUNICIPAL AUTHORITY
UNDER PENNSYLVANIA'S RIGHT-TO-KNOW ACT

WHEREAS, Pennsylvania has in effect a law known as the Right-To-Know Act (also known as the Open Records Act); and,

WHEREAS, the Lower Bucks County Joint Municipal Authority has had, and does have in effect a policy to comply with said law; and,

WHEREAS, the Lower Bucks County Joint Municipal Authority wishes to update its policy to reflect its current costs with regard to compliance with the said law; and,

WHEREAS, the Board of Directors, at its regularly scheduled public meeting on February 26, 2015, approved its policy in compliance with the said law.

NOW, THEREFORE, be it resolved by the Board of Directors of the Lower Bucks County Joint Municipal Authority as follows:

1. Attached hereto and made a part hereof is an up-to-date Notice required to be posted for compliance with Pennsylvania's Right-To-Know or Open Records Act to reflect the current costs for the Authority.
2. As required by law, the Notice contains the time frames within which the Authority must act and contains a definition of what is known as a "Public Record".

RESOLVED and acknowledge by the Lower Bucks County Joint Municipal Authority on this 26th day of February, 2015.



Secretary
LBCJMA
Board of Directors



Chairman
LBCJMA
Board of Directors

Lower Bucks County Joint Municipal Authority

NOTICE

RIGHT-TO-KNOW ACT

As a legal resident of the United States, you have the right to request what is known as a public record from the Lower Bucks County Joint Municipal Authority. This request may be made in person, in writing, via facsimile machine, by telephone, or any other electronic means. The Lower Bucks County Joint Municipal Authority can charge reasonable costs for reproduction based upon prevailing fees for reproduction in this area. The cost per page is twenty five (25) cents. If the request asks that the records be returned via United States Postal Service, the Authority will charge an additional fee between two dollars (\$2.00) and five dollars (\$5.00) for certified copies.

The Authority must respond to the request within five (5) days or state the valid reasons why it cannot respond.

If the request for records is refused, the Authority must cite the reasons for the refusal and the name, title, business address and business telephone number of the official or public employee on whose authority the denial is based. That person must sign the notice of refusal.

If the request is denied and the reasons for such denial are set forth, you will be provided information regarding the appeal. That information will read as follows:

You have a right to appeal this denial of information, in writing, to Terry Mutchler, Executive Director, Office of Open Records, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, Pennsylvania, 17120. With regard to criminal records, the appeal must be taken to the District Attorney of Bucks County, which address is Courthouse, 4th Floor, Doylestown, Pennsylvania, 18901. The telephone number of the District Attorney's Office is (215) 348-6344.

If you choose to file an appeal, you must do so within fifteen (15) days of the mailing date of the denial.

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Requests for open records are to be made to the Open Records Officer of the Lower Bucks County Joint Municipal Authority. That person is:

Dr. Vijay S. Rajput, Ph.D., P.E., Open Records Officer/Managing Director
Lower Bucks County Joint Municipal Authority
7811 New Falls Road
Levittown, PA 19055
Phone: (215) 945-7400
Fax: (215)-945-7281

A record is defined as any information that (1) documents a transaction or activity of an agency; and, (2) is created, received or retained pursuant to law or in connection with a transaction, business or activity of the agency.

You are further advised that a public record is (1) any record of the Commonwealth or local agency that is not exempt under Section 08 of the Act (the list of exceptions is attached); (2) is not exempt from being disclosed under any Federal or State Law or Regulation or Judicial Order or Decree; or (3) is not protected by privilege.

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LIST OF EXEMPTIONS THAT ARE NOT PUBLIC RECORD

Listed below are the exempt records under Section 708(b) of Act 3-2008. These records are most definitely not public records subject to duplication or examination.

1. Result in the loss of funds from Federal or State agencies;
2. Jeopardize physical or personal security;
3. Imperil the military, homeland security, or threaten public safety or activities;
4. Endanger physical security of buildings, infrastructure or computer storage;
5. Jeopardize employee's health information including workers compensation or unemployment compensation records;
6. Personal information such as employee identification number, Social Security Number, driver's license number or home information;
7. Personnel documents such as letters of reference, performance rating or grievance materials (until a decision is made based on the latter);
8. Material which details negotiation strategy for collective bargaining agreements;
9. Drafts of ordinances, policies or resolutions until they are finally adopted;
10. Pre-decisional information/deliberations for proposals or budgets, until presented to a quorum of the local agency;
11. Information that discloses a trade secret or other confidential propriety material;
12. Personal notes for public official's own use; also includes telephone notes if not used for an official use;
13. The identity of a donor, except when the donation is for the personal benefit of either a public official or agency employee;
14. Unpublished lecture notes, manuscripts, articles or other creative works in progress;
15. Academic transcripts (including licensing exams);
16. Police investigative materials, except for the police blotter;
17. Reports of non-criminal investigations (this includes complaints);
18. 911tapes; however, response time logs are public;
19. DNA and RNA records;
20. Autopsy records;
21. Draft minutes, until the next regularly scheduled meeting, or minutes from an executive session;
22. Real estate appraisals, engineering studies or environmental reports;
23. Library circulation records;
24. Certain archival records and museum materials;
25. Any material that would identify a protected archaeological site or endangerment to any habitat for a threatened animal/plant species, which is not public;
26. Any material such as contract bids, construction, etc. until the contract has been awarded;
27. A record related to communications between an insurance carrier, administrative service organization or risk office except for contracts;
28. The identity of anyone who applies for social services;
29. Correspondence between legislator and constituent;
30. Records of identity, home address or birth date of a child 17 years or younger.